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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,549	06/06/2001	Sho Kuwamoto	1226	6894

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EXAMINER

TANG, KENNETH

ART UNIT

PAPER NUMBER

2127

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/875,549	<b>Applicant(s)</b> KUWAMOTO ET AL.	
	<b>Examiner</b> Kenneth Tang	<b>Art Unit</b> 2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-36 are presented for examination.

#### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “first first identifier”, “second first identifier”, and “third at least one of the at least one second object” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-8 are rejected under 35 U.S.C. 101 because claim 1 is directed to method steps which can be practiced mentally in conjunction with pen and paper, therefore they are directed to non-statutory subject matter. Specifically, as claimed, it is uncertain what performs each of the claimed method steps. The examiner suggests applicant to change “method” to “computer implemented methods” in the preamble to overcome the outstanding 35 U.S.C. 101 rejection.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention:

a. In claim 1, “receiving a plurality of objects” is indefinite because it is unclear of the origin of the objects. For example, who receives the plurality of objects and who is it sent from?

b. In claim 1, “providing a first set of information” is indefinite because it is unclear of the origin of the information. For example, who provides it and does it provide it for?  
Is there even a computer involved?

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c. In claim 1, “the object” in lines 9 and 12 are indefinite because it is not made explicitly clear in the claim language whether this refers to “the object having a first type” (line 6) or if it is a different object from the plurality of objects.

d. In claim 1, the term “following” is indefinite because it is unclear how it is possible for information to “follow” an identifier or whether or not “following” consists of information “being associated with” an identifier. In addition, it is not made explicitly clear the difference between the “following” of line 9 and line 11. In line 9, the first identifier is being followed, but in line 11, the information is being followed, instead.

e. In claim 2, “identifiers that will be returned unchanged” is indefinite because it is not understood how an identifier can be changed or if instead the information of the identifier is what is being unchanged.

f. In claim 6, “third identifier” is indefinite because it is not made clear in the claim language whether there are a first identifier and a second identifier in the second object type. For example, are there 3 identifiers or only 1 in the second object type?

g. In claim 9, the term “first at least one object” (line 2) is indefinite because it is grammatical incorrect and unclear whether or not this refers to a first object of at least one object. If Examiner’s guess is correct, Applicant is required to amend the claim language to appropriately reflect that.

h. In claim 9, the term “second at least one object” (line 6) is indefinite because it is grammatical incorrect and unclear whether or not this refers to a second object of at least one object. If Examiner’s guess is correct, Applicant is required to amend the claim language to appropriately reflect that.

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- i. In claim 9, the term “pair of first identifiers” (line 3) is indefinite because it is not made explicitly clear in the claim language whether or not the pair of first identifiers belongs to the at least one objects.
  - j. In claim 9, the term “the pair of first identifiers” (line 7) is indefinite because it is not made explicitly clear in the claim language whether this is the same “pair of first identifiers” as the one in lines 5-6 or if an additional “pair of first identifiers” is being introduced.
  - k. In claim 11, “a third at least one of the at least one second object” is indefinite because it is not made clear in the claim language whether the third is a third identifier of the object or a third information of the object, etc.
  - l. Claim 19 is rejected for the same reasons as stated in the rejection of claim 1.
  - m. Claim 27 is rejected for the same reasons as stated in the rejection of claim 9.
5. Claim 9 recites the limitation "the pair of first identifiers" in line7. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-4, 6-13, 15-22, 24-31, and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel et al. (hereinafter Ferrel) (US 5,907,837).**

7. As to claim 1, Ferrel teaches a method of building a set of information, comprising: receiving a plurality of objects having one plurality of types; and for each of the plurality of objects (*col. 4, lines 44-56 and col. 30, lines 1-14*):

responsive to the object having a first type, providing a first set of information comprising (*col. 4, lines 44-56 and col. 30, lines 1-14*):

identifiers for information (*col. 4, lines 44-56*);

information related to the object, following the identifiers (*col. 4, lines 44-56*).

Ferrel teaches a plurality (indefinite amount) of identifiers but fails to explicitly teach that the plurality of identifiers are a pair of identifiers (first identifier and second identifier).

However, "Official Notice" is taken that both the concept and advantages of providing that a pair of identifiers is well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a pair of identifiers to the existing system and method of Ferrel because an extra data structure allows for an extra capability or a more complex one.

8. As to claim 2, Ferrel teaches a first and second identifier for objects (see the rejection for claim 1) but fails to explicitly teach that an identifier will be returned unchanged by a processing system. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of returning the identifiers unchanged in order for the same identifier to be used again to identify different information, for example.



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9. As to claim 3, Ferrel teaches wherein the first identifier and the second identifier comprise tags (*col. 15, lines 35-49*).
10. As to claim 4, Ferrel teaches wherein each of the tags comprises a location identifier unique from the other tags corresponding to one selected from the first identifier and the second identifier (*see Abstract*).
11. As to claim 6, Ferrel teaches responsive to the object having a second type, providing a second set of information comprising information related to the object and a third identifier embedded in said information (*col. 4, lines 44-56 and col. 30, lines 1-14*).
12. As to claim 7, it is rejected for the same reasons as stated in the rejections of claims 3 and 6.
13. As to claim 8, Ferrel fails to explicitly teach wherein the second type comprises objects not entirely server side code. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of objects not entirely server side code because this increases functionality and diversity by having some objects containing server side code and some objects that do not.
14. As to claim 9, Ferrel teaches the method of associating information received from a server with a first at least one object (*col. 4, lines 53-56*), comprising:

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locating a pair of first identifiers in the information received from the server (*col. 4, lines 53-56*); and

associating information between the pair of first identifiers located with a second at least one object corresponding to the pair of first identifiers (*col. 4, lines 53-56*).

Ferrel teaches a plurality (indefinite amount) of identifiers but fails to explicitly teach that the plurality of identifiers are grouped in a pair of identifiers.

15. However, "Official Notice" is taken that both the concept and advantages of providing that a pair of identifiers is well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a pair of identifiers to the existing system and method of Ferrel because an extra data structure allows for an extra capability or a more complex one.

16. As to claim 10, Ferrel teaches wherein the first at least one object is the second at least one object (*col. 34, lines 45-65*).

17. As to claim 11, it is rejected for the same reasons as stated in the rejection of claim 9. In addition, Ferrel teaches the associating step comprises matching each of the first object identifier with a third at least one of the at least one second object (*col. 4, lines 44-56 and col. 30, lines 1-14*).

18. As to claim 12, it is rejected for the same reasons as stated in the rejection of claim 1. In addition, "Official Notice" is taken that both the concept and advantages of providing that a pair

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of identifiers to another pair of identifiers is well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a pair of identifiers to another pair of identifiers to the existing system and method of Ferrel because an extra data structure allows for an extra capability or a more complex one (hierarchy).

19. As to claim 13, Ferrel fails to explicitly teach wherein the first first identifier comprises an even number and the second first identifier comprises an odd number, greater than the even number of the first first identifier. However, it is well known and obvious in the art that there are indefinite possibilities of what the identifiers can comprise and an even number and the second first identifier comprising an odd number, greater than the even number of the first first identifier is one of them.

20. As to claim 15, Ferrel teaches:  
locating a second identifier in the information received from the server (*col. 4, lines 44-56 and col. 30, lines 1-14*); and associating information corresponding to the second identifier located with a third at least one object corresponding to the second identifier (*col. 4, lines 44-56 and col. 30, lines 1-14*).

21. As to claim 16, Ferrel teaches wherein:  
the second identifier comprises a third object identifier, the third at least one object comprises a fourth object identifier, and the associating information corresponding to the second identifier

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step comprises matching the third object identifier to the fourth object identifier (*col. 4, lines 44-56 and col. 30, lines 1-14*).

22. As to claim 17, Ferrel teaches wherein the information corresponding to the second identifier comprises information surrounding the second identifier (*col. 4, lines 44-56 and col. 30, lines 1-14*).

23. As to claim 18, Ferrel teaches wherein:  
the information corresponding to the second identifier comprises a tag and  
the second identifier comprises an attribute of the tag (*col. 4, lines 44-56 and col. 30, lines 1-14, col. 15, lines 35-49*).

24. As to claim 19, it is rejected for the same reasons as stated in the rejection of claim 1.

25. As to claim 20, it is rejected for the same reasons as stated in the rejection of claim 2.

26. As to claim 21, it is rejected for the same reasons as stated in the rejection of claim 3.

27. As to claim 22, it is rejected for the same reasons as stated in the rejection of claim 4.

28. As to claim 24, it is rejected for the same reasons as stated in the rejection of claim 6.

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29. As to claim 25, it is rejected for the same reasons as stated in the rejection of claims 3 and 7.
30. As to claim 26, it is rejected for the same reasons as stated in the rejection of claim 8.
31. As to claim 27, it is rejected for the same reasons as stated in the rejection of claim 9.
32. As to claim 28, it is rejected for the same reasons as stated in the rejection of claim 10.
33. As to claim 29, it is rejected for the same reasons as stated in the rejection of claim 11.
34. As to claim 30, it is rejected for the same reasons as stated in the rejection of claim 12.
35. As to claim 31, it is rejected for the same reasons as stated in the rejection of claim 13.
36. As to claim 33, it is rejected for the same reasons as stated in the rejection of claim 15.
37. As to claim 34, it is rejected for the same reasons as stated in the rejection of claim 16.
38. As to claim 35, it is rejected for the same reasons as stated in the rejection of claim 17.
39. As to claim 36, it is rejected for the same reasons as stated in the rejection of claim 18.

40. **Claims 5, 14, 23, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel et al. (hereinafter Ferrel) (US 5,907,837) in view of Clark et al. (hereinafter Clark) (US 6,073,163).**

41. As to claim 5, Ferrel teaches object types that contain information and identifiers but fails to explicitly teach wherein the first type comprises server side code. However, Clark teaches that the server-side code maintains information relating to objects that have been created at the client (*col. 7, lines 15-16*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of an object type comprising server side code because it increases functionality by creating awareness and being able to take action in response to other actions (*col. 7, lines 16-21*).

42. As to claim 14, Ferrel fails to explicitly teach wherein the second at least one objects comprise server side code. However, Clark teaches that the server-side code maintains information relating to objects that have been created at the client (*col. 7, lines 15-16*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of an object type comprising server side code because it increases functionality by creating awareness and being able to take action in response to other actions (*col. 7, lines 16-21*).

43. As to claim 23, it is rejected for the same reasons as stated in the rejection of claim 5.

44. As to claim 32, it is rejected for the same reasons as stated in the rejection of claim 14.

***Conclusion***

45. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:


US 6377259 teaches a data structure used for a pair of identifiers (ID) and its advantage.

46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (703) 305-5334. The examiner can normally be reached on 8:30AM - 6:00PM, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kt  
7/23/04

  
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